

Fiscal Estimate Narratives

DOC 4/5/2011

LRB Number	11-1757/1	Introduction Number	SB-054	Estimate Type	Original
Description Certain controlled substances and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law there are several prohibitions and penalties regarding the use and possession of certain controlled substances. Current law categorizes substances into five schedules, depending on the nature of the substance. Schedule I substances are those that have a high potential for abuse, have no currently accepted medical use, and are not accepted as safe for use in treatment under medical supervision.

This bill identifies several nonnarcotic, hallucinogenic substances that are commonly known as "synthetic cannabinoids" and classifies those substances as Schedule I controlled substances. The bill also identifies two stimulant substances and classifies those as Schedule I controlled substances.

The addition of several "synthetic cannabinoids" and two stimulant substances to Schedule I drugs may result in an increase of offenders who are jailed, placed on probation or sentenced to prison for violations of Schedule I drug prohibitions.

The Department of Corrections is unable to project the number of offenders who may be subject to the criminal penalty provisions of this bill and is therefore unable to estimate the fiscal impact on state or local government. However, if additional offenders are convicted, the Department will see increased costs.

In FY10 the average annual cost of an inmate in a DOC institution was approximately \$32,100. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates was approximately \$5,100, based on FY 10 costs. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at a rate of \$18,800 annually per person. The average annual cost for community supervision was \$2,800 in FY10.

A local impact will occur if an adult offender is sentenced to a jail term under the provisions of this bill. A local fiscal impact cannot be estimated.

Long-Range Fiscal Implications